

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY JULY 19, 2004 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.

Present: Dennis P. Flood, Mayor
Isabel B. Milano, Trustee
David A. Klassen, Trustee
Richard J. Livingston, Trustee
Jonathan A. Siegel, Trustee
Donald P. Marra, Administrator
Lawrence S. Schopfer, Clerk-Treasurer
Kevin J. Plunkett, Village Attorney
Louis Grieco, Police Chief
Gregory R. Nilsson, Superintendent of Public Works

Mayor Flood called the meeting to order. Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Siegel and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. Barbara Denyer discussed the Village Hall renovations project. Brenda Livingston discussed the grant previously awarded to the Irvington Historical Society. There were no further comments from those in attendance.

Trustee Livingston made a motion to adopt the minutes of the regular meeting of the Board of Trustees held June 21, 2004. Trustee Siegel seconded the motion and it was unanimously approved with Trustees Klassen and Milano abstaining from the vote.

Mayor Flood read correspondence from Holly Seawalk from Irvington High School regarding a school program visiting a prison; and Lawrence Goldfarb regarding traffic on Sycamore Lane. A copy of each piece of correspondence is attached hereto as a part of these minutes.

RESOLUTION 2004-70

RESOLUTION ADOPTING THE EMPLOYEE HANDBOOK FOR THE VILLAGE OF IRVINGTON

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

WHEREAS, the Board of Trustees of the Village of Irvington is desirous to develop and implement an Employee Handbook detailing the various personnel policies and procedures, employee benefits, compliance policies, and other pertinent information governing employment related matters, and

WHEREAS, the Board of Trustees has reviewed the draft of said Employee Handbook, now therefore be it

RESOLVED, this 19th day of July, 2004, that the document entitled Employee Handbook be adopted as the official Employee Handbook of the Village of Irvington, and

FURTHER RESOLVED, that the Village of Irvington Employee Handbook shall be distributed, with signed acknowledgment, to all Village officials and employees.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-71
APPROVAL OF CERTIORARI SETTLEMENT WITH PENNYBRIDGE MANOR CONDOMINIUM

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

RESOLVED, that the Village Board of Trustees hereby approves a certiorari settlement agreement with Pennybridge Manor Condominium as follows:

AV Year	Original AV	New AV	Reduction	Village Tax Rate /\$1,000	Village Refund
1998	\$950,980	\$950,980	-\$0-	\$128.64	-\$0-
1999	\$950,980	\$950,980	-\$0-	\$130.95	-\$0-
2000	\$950,980	\$950,980	-\$0-	\$134.13	-\$0-
2001	\$950,980	\$950,980	-\$0-	\$139.23	-\$0-
2002	\$950,980	\$950,980	-\$0-	\$151.63	-\$0-
2003	\$950,980	\$880,984	\$69,016	\$166.65	\$11,501
2004	\$950,980	\$880,984	\$69,016	\$179.82	\$12,410
				Total:	\$23,911

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-72
APPROVAL OF CERTIORARI SETTLEMENT WITH FIELDPOINT AT IRVINGTON I & II

Trustee Livingston offered the following resolution, which was seconded by Trustee Siegel and adopted:

RESOLVED, that the Village Board of Trustees hereby approves a certiorari settlement agreement with Fieldpoint at Irvington I as follows:

AV Year	Original AV	New AV	Reduction	Village Tax Rate /\$1,000	Village Refund
1996	\$862,450	\$793,403	\$69,047	\$118.64	\$8,192
1997	\$752,496	\$752,496	-\$0-	\$125.50	-\$0-
1998	\$752,496	\$722,940	\$29,556	\$128.64	\$3,802
1999	\$752,496	\$736,092	\$16,404	\$130.95	\$2,148
2000	\$752,496	\$696,427	\$56,069	\$134.13	\$7,520
2001	\$752,496	\$696,428	\$56,068	\$139.23	\$7,806
2002	\$752,496	\$752,196	-\$0-	\$151.63	-\$0-
2003	\$752,496	\$592,526	\$159,970	\$166.65	\$26,659
				Total:	\$56,127

FURTHER RESOLVED, that the Village Board of Trustees hereby approves a certiorari settlement agreement with Fieldpoint at Irvington II as follows:

AV Year	Original AV	New AV	Reduction	Village Tax Rate /\$1,000	Village Refund
1997	\$784,800	\$717,240	\$67,560	\$125.50	\$8,479
1998	\$659,994	\$659,994	-\$0-	\$128.64	-\$0-
1999	\$659,994	\$659,994	-\$0-	\$130.95	-\$0-
2000	\$659,994	\$637,804	\$22,162	\$134.13	\$2,976
2001	\$659,994	\$633,724	\$26,270	\$139.23	\$3,657
2002	\$659,994	\$659,994	-\$0-	\$151.63	-\$0-
2003	\$659,994	\$539,175	\$120,819	\$166.65	\$20,134
				Total:	\$35,246

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
 NAYS: NONE

RESOLUTION 2004-73
APPROVAL OF CERTIORARI SETTLEMENT WITH STEVE & CAROLINE NIEMCZYK

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

RESOLVED, that the Village Board of Trustees hereby approves a certiorari settlement agreement with Steve & Caroline Niemczyk as follows:

AV Year	Original AV	New AV	Reduction	Village Tax Rate /\$1,000	Village Refund
2000	\$183,550	\$141,550	\$42,000	\$134.13	\$5,633
2001	\$141,550	\$141,550	-\$0-	\$139.23	-\$0-
2002	\$141,550	\$141,550	-\$0-	\$151.63	-\$0-
				Total:	\$5,633

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
 NAYS: NONE

RESOLUTION 2004-74
AUTHORIZATION TO PETITION THE TOWN OF GREENBURGH FOR THE EXTENSION OF SEWER DISTRICT FA17 TO INCLUDE CERTAIN VILLAGE-OWNED PROPERTEIS

Trustee Livingston offered the following resolution, which was seconded by Trustee Milano and adopted:

BE IT RESOLVED that the Village of Irvington is the owner of certain property known as Tract C (a/k/a Parcel C) and other lands to be retained by the Village as show on a certain filed map entitled "Subdivision Map Prepared For Westwood Development Associates, Inc.," said map filed as map 27089 on December 17, 2002, as more particularly set forth in the metes and bounds description annexed hereto (the "Property"),

BE IT FURTHER RESOLVED that the Board of Trustees of the Village of Irvington, in accordance with Town Law §190, hereby authorizes a petition to the Town Board of the Town of Greenburgh in order to extend Federally Assisted Sewer District No. 17 (a/k/a F.A. 17) to include the Property in its entirety so that sewer service can be supplied to it.

BE IT FURTHER RESOLVED that this resolution is subject to a permissive referendum pursuant to Article 9 of the Village Law of the State of New York.

Description of the Property:

All that certain piece, parcel of land lying and being in the Village of Irvington, Town of Greenburgh, Westchester County, in the State of New York being known as PARCEL B (AKA TRACT B) as shown on Sheet Two of Three and PARCEL C (AKA TRACT C) as shown on Sheet Three of Three on a certain filed map entitled “SUBDIVISION OF PROPERTY PREPARED FOR WESTWOOD DEVELOPMENT ASSOCIATES, INC.” Said map filed in the Westchester County Clerk’s Office, Division of Land Records as map No. 27089 on December 17,2002.

Beginning at a point on the westerly line of Peter Bont Road at the southeast corner of the LANDS TO BE RETAINED BY THE VILLAGE OF IRVINGTON “CONSERVATION PARCEL” as shown on the aforementioned filed map No. 27089. Said point and place of beginning the following courses and distances: southeasterly along a curve to the left with a central angle of 38 Degrees 07 Minutes 29 Seconds and a radius of 344.86 feet a distance of 229.47 feet to a point of tangency and South 43 Degrees 19 Minutes 00 Seconds East 110.38 feet from the northeast corner of the aforesaid lands to be retained formed by the intersection of the northerly line of the LANDS TO BE RETAINED BY THE VILLAGE OF IRVINGTON “CONSERVATION PARCEL” and the westerly line of Peter Bont Road.

Thence from the said point and place of beginning southeasterly along the westerly line of Peter Bont Road South 43 Degrees 19 Minutes 00 Seconds East 58.53 feet, South 41 Degrees 59 Minutes 30 seconds East 156.09 feet, South 41 Degrees 13 Minutes 40 Seconds East 127.82 feet to a point at the intersection of the division line between the Morabito Life Tenancy Parcel and other LANDS TO BE RETAINED BY THE VILLAGE OF IRVINGTON as shown on the aforementioned filed map No. 27089.

Thence along the aforesaid division line North 90 Degrees 00 Minutes 00 Seconds West 141.00 feet and North 40 Degrees 27 Minutes 05 Seconds West 189.71 feet to a point on a curve with a radial line to the center of the circle of North 02 Degrees 05 Minutes 30 Seconds East.

Thence along the division line between PARCEL C (AKA TRACT C) and other LANDS TO BE RETAINED BY THE VILLAGE OF IRVINGTON as per filed map No. 27089 along a curve to the right with a central angle of 09 Degrees 59 Minutes 22 seconds and a radius of 130.00 feet a distance of 22.665 feet, thence South 01 Degrees 58 Minutes 46 seconds West 553.65 feet, South 35 Degrees 48 Minutes 26 Seconds West 176.02 feet, South 70 Degrees 49 Minutes 34 Seconds West 90.13 feet, North 15 Degrees 54 Minutes 44 Seconds West 277.18 feet to a point of curvature, thence along a curve to the right with a central angle of 108 Degrees 12 Minutes 34 Seconds and a radius of 56.11 feet a distance of 105.97 feet to a point, thence South 04 Degrees 53 Minutes 33 Seconds West 111.77 feet, South 49 Degrees 42 Minutes 43 Seconds West 70.11 feet, North 85 Degrees 50 Minutes 52 Seconds West 45.64 feet to a point on the division line between PARCEL C (AKA TRACT C) and PARCEL D (AKA "CONSERVATION SWAP PARCEL") as shown on the aforementioned filed map No. 27089.

Thence along the aforesaid division line North 12 Degrees 36 Minutes 02 Seconds West, 495.00 feet to a point to the common corner of PARCEL B (AKA TRACT B), PARCEL C (AKA TRACT C) and PARCEL D (AKA "CONSERVATION SWAP PARCEL") as shown on the aforementioned filed map No. 27089.

Thence along the division line between PARCEL B (AKA TRACT B) and the aforesaid PARCEL D South 64 Degrees 29 Minutes 03 Seconds West 33.36 feet, South 33 Degrees 02 Minutes 24 Seconds West 325.12 feet, South 40 Degrees 29 Minutes 02 Seconds West 73.67 feet, South 51 Degrees 07 Minutes 03 Seconds West 176.27 feet, South 80 Degrees 21 Minutes 56 Seconds West 273.98 feet, North 90 Degrees 00 Minutes 00 Seconds West 191.78 feet, North 25 Degrees 52 Minutes 05 Seconds West 344.02 feet and North 04 Degrees 13 Minutes 47 Seconds West 177.79 feet to a point.

Thence continuing along the division line between PARCEL B (AKA TRACT B) and the aforesaid PARCEL D as per filed map No. 27089 South 31 degrees 37 Minutes 46 Seconds West 93.75 feet, South 35 Degrees 29 Minutes 04 Seconds West 265.24 feet, North 52 Degrees 39 Minutes 07 Seconds West 80.47 feet, North 11 degrees 08 Minutes 44 Seconds West 24.50 feet North 36 Degrees 17 Minutes 06 Seconds East 208.14 feet, North 46 Degrees 02 Minutes 07 Seconds East 15.91 feet, North 47 Degrees 59 Minutes 47 Seconds East 13.78 feet, North 49 Degrees 46 Minutes 29 Seconds East 12.32 feet, North 51 Degrees 12 Minutes 05 Seconds East 17.99 feet, North 47 Degrees 47 Minutes 01 Seconds East 77.93 feet, North 51 degrees 19 Minutes 07 Seconds West 31.29 feet to a point of curvature of a curve to the left with a central angle of 00 Degrees 10 Minutes 01 Seconds and a radius of 195.59 feet a distance of 0.57 feet to a point of tangency, thence South 45 Degrees 13 Minutes 20 Seconds West 312.82 feet to a point of curvature of a curve to the right with a central angle of 05 Degrees 29 Minutes 32 Seconds and a radius of 388.80 feet a distance of 37.27 feet, North 88 Degrees 58 Minutes 00 Seconds West 60.85 feet, North 32 Degrees 16 Minutes 15 Seconds West 63.78 feet, North 07 Degrees 47 Minutes 00 Seconds West 124.52 feet to a point.

Thence along the division line between PARCEL A (AKA TRACT A) as shown on the aforementioned filed map No. 27089 and PARCEL B North 70 degrees 37 minutes 00 Seconds East 5.10 to a point.

Thence along the division line between PARCEL B (AKA TRACT B) and the lands of now or formerly Marshall South 07 Degrees 47 Minutes 00 Seconds East 124.46 feet, South 32 Degrees 16 Minutes 15 Seconds East 60.00 feet, South 88 Degrees 58 Minutes 00 Seconds East 56.31 feet to a point of curvature. Thence along a curve to the left with a central angle of 05 Degrees 13 Minutes 08 Seconds and a radius of 383.80 feet a distance of 34.96 feet to a point of tangency, thence North 45 Degrees 13 Minutes 20 Seconds East 312.82 feet to a point of curvature, thence along a curve to the right with a central angle of 19 degrees 24 Minutes 33 Seconds and a radius of 200.59 feet a distance of 71.95 feet and North 24 Degrees 13 Minutes 30 Seconds West 81.84 feet to a point.

Thence along the division line between PARCEL B (TRACT B) and the Lot 55B as shown on a certain filed map entitled "SUBDIVISION MAP PREPARED FOR JOSEPH A. Jr. & DENISE CICCIO, MITCHELL JAY CHERNICK & SHERI GREENHAUS" said map filed as map No. 26811 on June 15, 2001 North 76 Degrees 14 Minutes 20 Seconds East 280.28 feet to a point on the Southerly line of the unimproved roadbed known as Riverview Road as shown on a certain filed map entitled "SUBDIVISION MAP OF SECTION No. 2 IRVINGTON ESTATES" said map filed in the Westchester County Clerks Office, Division of Land Records as map No. 2818 on March 17, 1925.

Thence along the aforesaid southerly line of the unimproved roadbed known as Riverview Road South 72 Degrees 24 Minutes 00 seconds East 48.00 feet and a curve to the left with a central angle of 48 Degrees 30 Minutes 00 Seconds and radius of 160.00 feet a distance of 135.44 feet to the point.

Thence through part of Lot 56 as shown on the aforesaid filed map No. 2818 North 83 Degrees 24 Minutes 30 Seconds East 360.32 to a point on the division line between the aforesaid Lot 56 and PARCEL B (AKA TRACT B).

Thence along the division line between Lot 56 as shown on the aforesaid filed map No. 2818 and PARCEL B (AKA TRACT B) North 64 Degrees 29 Minutes 00 Seconds East 10.74 feet and North 49 Degrees 42 Minutes 00 Seconds East 30.55 feet to a point.

Thence along the division line Lot 60 as shown on the aforesaid filed map No. 2818 and PARCEL B (AKA TRACT B) North 57 Degrees 20 Minutes 30 Seconds East 55.16 feet, North 71 Degrees 27 Minutes 00 Seconds East 20.39 feet, North 83 Degrees 28 Minutes 00 Seconds East 18.95 feet, North 75 Degrees 44 Minutes 00 Seconds East 9.34 feet, North 63 Degrees 40 Minutes 00 Seconds East 19.90 feet, North 43 Degrees 13 Minutes 00 Seconds East 21.67 feet and North 64 Degrees 53 Minutes 00 Seconds East 19.94 feet to a point formed by the intersection division line between PARCEL B (AKA TRACT B) and TRACT C (AKA TRACT C) as shown on the aforementioned filed map No. 27089.

Thence along the aforesaid division line South 12 Degrees 36 Minutes 02 Seconds East 31.83 feet to a point on the northerly line of the RELOCATED RIGHT OF WAY as shown on the aforementioned filed map No. 27089.

Thence along the aforesaid northerly line of the RELOCATED RIGHT OF WAY the following courses and distances North 64 Degrees 47 Minutes 42 Seconds East 46.76 feet to a point of curvature, thence along a curve to the right with a central angle of 68 Degrees 35 Minutes 51 Seconds and a radius of 320.00 feet a distance of 383.12 feet to a point of tangency, thence South 46 Degrees 36 Minutes 29 Seconds East 225.11 feet to a point of curvature, thence along a curve to the left with a central angle of 36 Degrees 14 Minutes 00 seconds and a radius of 81.50 feet a distance of 51.54 feet to a point of tangency, thence South 82 degrees 50 minutes 19 Seconds East 31.28 feet to a point of curvature, thence along a curve to the left with a central angle of 45 Degrees 56 Minutes 13 Seconds and a radius of 80.00 feet a distance of 64.14 feet to a point of compound curvature, thence along a curve to the left with a central angle of 94 Degrees 32 Minutes 17 Seconds and a radius of 30.00 feet a distance of 49.50 feet to a point on the westerly line of Peter Bont Road and the point and place of beginning of the sewer district extension described herein.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-75 APPROVAL OF A PEDDLER'S PERMIT

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

RESOLVED, to approve the issuance of a peddler's permit to Ali Mojazza to sell ice cream, candy, and soft drinks for a term of one year from the date of issuance for a fee of \$100.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

Mayor Flood provided some background and reviewed the 2004-2010 Capital Improvement Plan.

RESOLUTION 2004-76

APPROVAL OF THE 2004-2010 CAPITAL IMPROVEMENT PLAN

Trustee Milano offered the following resolution, which was seconded by Trustee Livingston and adopted:

RESOLVED, that the 2004-2010 Capital Improvement Plan is hereby adopted as presented.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-77

**RESOLUTION AUTHORIZING ACQUISITION OF TWO (2) POLICE CARS
AUTHORIZING THE ISSUANCE OF TAX-EXEMPT SERIAL BONDS**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

**BE IT RESOLVED, BY THE VILLAGE BOARD OF THE VILLAGE OF IRVINGTON,
WESTCHESTER COUNTY, NEW YORK AS FOLLOWS:**

Section 1. The acquisition of two (2) police cars at the maximum estimated cost of \$30,500 for each car, including but not limited to the apparatus and all necessary alterations and ancillary work as may be necessary to effectuate the foregoing (collectively, the "Projects") are hereby authorized at a maximum estimated cost of \$61,000.

Section 2. The plan for financing such maximum estimated cost is by the issuance of \$61,000 tax-exempt serial bonds or bond anticipation notes of the Village (the "Bonds") hereby authorized to be issued therefor, pursuant to the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, no current funds of the Village are required.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified objects or purposes is three (3) years, pursuant to subdivision 77 of paragraph (a) Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the Bonds herein authorized will not exceed three (3) years.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall be levied on all the taxable real property of said Village a tax sufficient to pay the principal and interest on the Bonds as the same become due and payable.

Section 5. Pursuant to the Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation thereof, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any serial bonds or bond anticipation notes issued pursuant hereto.

Section 6. The Board of Trustees of the Village prior to adopting this resolution has determined that the Project is an "exempt action" as that term is defined under Part 617 of the regulations of the New York State Department of Environmental Conservation and the Village is not required to undertake any review of the environmental impact of the project.

Section 7. The Village hereby covenants and agrees with the holders from time to time of the tax-exempt Bonds and any bond anticipation notes issued in anticipation of the sale of the tax-exempt Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The validity of the bonds and bond anticipation notes may be contested pursuant to Section 80.00 of the Local Finance Law only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This resolution is not subject to permissive referendum.

Section 10. The Village Clerk shall publish and post a notice in accordance with the provisions of Section 81.00 of the Local Finance Law together with a copy of this Resolution in full.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-78

RESOLUTION AUTHORIZING THE REPLACEMENT OF AN UNDERGROUND FUEL STORAGE TANK AT THE DEPARTMENT OF PUBLIC WORKS AND AUTHORIZING THE ISSUANCE OF TAX-EXEMPT SERIAL BONDS

Trustee Klassen offered the following resolution, which was seconded by Trustee Siegel and adopted:

BE IT RESOLVED, BY THE VILLAGE BOARD OF THE VILLAGE OF IRVINGTON, WESTCHESTER COUNTY, NEW YORK AS FOLLOWS:

Section 1. The replacement of an underground fuel storage tank at the Department of Public Works, at the maximum cost of \$8,500, including but not limited to the apparatus and all necessary alterations and ancillary work as may be necessary to effectuate the foregoing (collectively, the "Projects") is hereby authorized at a maximum estimated cost of \$8,500.

Section 2. The plan for financing such maximum estimated cost is by the issuance of \$8,500 tax-exempt serial bonds or bond anticipation notes of the Village (the "Bonds") hereby authorized to be issued therefor, pursuant to the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, no current funds of the Village are required.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified objects or purposes is fifteen (15), pursuant to subdivision 88 of paragraph (a) Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the Bonds herein authorized will not exceed three (3) years.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall be levied on all the taxable real property of said Village a tax sufficient to pay the principal and interest on the Bonds as the same become due and payable.

Section 5. Pursuant to the Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation thereof, and the

Village Clerk is hereby authorized to affix the corporate seal of the Village to any serial bonds or bond anticipation notes issued pursuant hereto.

Section 6. The Board of Trustees of the Village prior to adopting this resolution has determined that the Project is an “unlisted action” as that term is defined under Part 617 of the regulations of the New York State Department of Environmental Conservation and the Village is not required to undertake any further review of the environmental impact of the project.

Section 7. The Village hereby covenants and agrees with the holders from time to time of the tax-exempt Bonds and any bond anticipation notes issued in anticipation of the sale of the tax-exempt Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The validity of the bonds and bond anticipation notes may be contested pursuant to Section 80.00 of the Local Finance Law only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This resolution is not subject to permissive referendum.

Section 10. The Village Clerk shall publish and post a notice in accordance with the provisions of Section 81.00 of the Local Finance Law together with a copy of this Resolution in full.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-79

RESOLUTION AUTHORIZING THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE VILLAGE ADMINISTRATOR; THE COMPLETION OF A COMPUTER HARDWARE UPGRADE FOR THE FOLLOWING VILLAGE DEPARTMENTS: CLERK-TREASURER, ADMINISTRATOR, POLICE, BUILDING, THEATRE, COURT, RECREATION AND PUBLIC WORKS; THE REPLACEMENT OF GARAGE AND BASEMENT DOORS AT THE VILLAGE FIRE HOUSE; PAYMENT TO THE NEW YORK STATE LOCAL EMPLOYEES' RETIREMENT SYSTEM AND THE NEW YORK STATE AND LOCAL POLICE AND FIRE RETIREMENT SYSTEM FOR THE 2004-2005 FISCAL YEAR FOR RETIREMENT COSTS; THE ACQUISITION OF PERSONAL PROTECTION EQUIPMENT FOR THE VILLAGE POLICE DEPARTMENT; THE ACQUISITION OF AN AERATION SYSTEM FOR THE MAINTENANCE OF HALSEY POND; THE REPLACEMENT OF BACKSTOPS AT MEMORIAL PARK; THE COMPLETION OF A FEASIBILITY STUDY REGARDING THE CREATION OF A BOAT LAUNCH IN THE VILLAGE; THE ACQUISITION OF A LEAF VACUUM FOR PARK MAINTENANCE; THE ACQUISITION OF A LARGE CUTTING MOWER FOR PARK MAINTENANCE; THE ACQUISITION OF A NEW MAINTENANCE VEHICLE WITH PLOW FOR PARK MAINTENANCE; THE ACQUISITION OF A REPLACEMENT VEHICLE FOR THE SUPERINTENDENT OF RECREATION AND PARKS; THE ACQUISITION OF AN EQUIPMENT GRID SYSTEM FOR THE VILLAGE THEATRE; THE ACQUISITION OF A NEW SOUND SYSTEM FOR THE VILLAGE THEATRE AND AUTHORIZING THE ISSUANCE OF TAX-EXEMPT SERIAL BONDS

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

BE IT RESOLVED, BY THE VILLAGE BOARD OF THE VILLAGE OF IRVINGTON, WESTCHESTER COUNTY, NEW YORK AS FOLLOWS:

Section 1. The acquisition of a pick-up truck for the Administrator of the Village of Irvington (the “Village”) at a maximum estimated cost of \$25,500; the completion of a computer hardware upgrade for the following Village departments: Clerk-Treasurer, Administrator, Police, Building, Theatre, Court,

Recreation and Public Works, at a maximum estimated cost of \$65,500; the replacement of garage and basement doors at the Village Fire House, at a maximum estimated cost of \$25,500; payment to the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System for the 2004-2005 fiscal year for retirement costs, at a maximum estimated cost of \$310,000; the acquisition of personal protection equipment for the Village Police, at a maximum estimated cost of \$10,500; acquisition of an aeration system for the maintenance of Halsey Pond, at a maximum estimated cost of \$20,500; replacement of backstops at Memorial Park, at a maximum estimated cost of \$10,500; completion of a feasibility study regarding the creation of a boat launch, at a maximum estimated cost of \$7,500; acquisition of a leaf vacuum for park maintenance, at a maximum estimated cost of \$12,000; acquisition of a large cutting mower for park maintenance, at a maximum estimated cost of \$20,000; acquisition of a maintenance vehicle with plow for park maintenance, at a maximum estimated cost of \$12,000; acquisition of a replacement vehicle for the superintendent of parks, at a maximum estimated cost of \$25,500; acquisition of an equipment grid system for the Village Theatre at a maximum estimated cost of \$20,500; replacement of the sound system in the Village Theatre, at a maximum estimated cost of \$17,200, including but not limited to the apparatus and all necessary alterations and ancillary work as may be necessary to effectuate the foregoing (collectively, the "Projects") are hereby authorized at a maximum estimated cost of \$582,700.

Section 2. The plan for financing such maximum estimated cost is by the issuance of \$582,700 tax-exempt serial bonds or bond anticipation notes of the Village (the "Bonds") hereby authorized to be issued therefor, pursuant to the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, no current funds of the Village are required.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified objects or purposes is five (5) years, pursuant to subdivisions 29, 89, 35, 85-b, 32, 62(a), 28, and 77 of paragraph (a) Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the Bonds herein authorized will not exceed five (5) years.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall be levied on all the taxable real property of said Village a tax sufficient to pay the principal and interest on the Bonds as the same become due and payable.

Section 5. Pursuant to the Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation thereof, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any serial bonds or bond anticipation notes issued pursuant hereto.

Section 6. The Board of Trustees of the Village prior to adopting this resolution has determined that the Projects are "exempt actions" as that term is defined under Part 617 of the regulations of the New York State Department of Environmental Conservation and the Village is not required to undertake any review of the environmental impact of the Projects.

Section 7. The Village hereby covenants and agrees with the holders from time to time of the tax-exempt Bonds and any bond anticipation notes issued in anticipation of the sale of the tax-exempt Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The validity of the bonds and bond anticipation notes may be contested pursuant to Section 80.00 of the Local Finance Law only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This resolution is not subject to permissive referendum.

Section 10. The Village Clerk shall publish and post a notice in accordance with the provisions of Section 81.00 of the Local Finance Law together with a copy of this Resolution in full.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

RESOLUTION 2004-80

RESOLUTION AUTHORIZING PAYMENTS OF SETTLED CLAIMS AGAINST THE VILLAGE BROUGHT PURSUANT TO THE REAL PROPERTY TAX LAW, REPAIRS TO CATCH BASINS IN THE VILLAGE, REPAIRS TO THE VILLAGE'S WATER DRAINAGE SYSTEM; ACQUISITION OF A DUMP TRUCK, ACQUISITION OF A SIDEWALK TRACTOR; ACQUISITION AND INSTALLATION OF A PREFABRICATED BUILDING IN SCENIC HUDSON PARK, INSTALLATION OF CENTRAL AIR CONDITIONING IN THE VILLAGE THEATRE AND AUTHORIZING THE ISSUANCE OF TAX-EXEMPT SERIAL BONDS

Trustee Klassen offered the following resolution, which was seconded by Trustee Milano and adopted:

BE IT RESOLVED, BY THE VILLAGE BOARD OF THE VILLAGE OF IRVINGTON, WESTCHESTER COUNTY, NEW YORK AS FOLLOWS:

Section 1. The payment of settled claims against the Village, brought pursuant to the Real Property Tax Law, at a maximum estimated cost of \$125,000; repairs to catch basins in the Village, at a maximum estimated cost of \$25,500; repairs to the Village's water drainage system, at a maximum estimated cost of \$35,500; the acquisition of a dump truck, at a maximum estimated cost of \$42,000; acquisition of a sidewalk tractor, at a maximum estimated cost of \$30,500; acquisition and installation of a prefabricated building in Scenic Hudson Park, at a maximum estimated cost of \$16,500; installation of central air conditioning in the Village Theatre, at a maximum estimated cost of \$305,000, including but not limited to the apparatus and all necessary alterations and ancillary work as may be necessary to effectuate the foregoing (collectively, the "Projects") is hereby authorized at a maximum estimated cost of \$580,500.

Section 2. The plan for financing such maximum estimated cost is by the issuance of \$574,500 tax-exempt serial bonds or bond anticipation notes of the Village (the "Bonds") hereby authorized to be issued therefor, pursuant to the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, no current funds of the Village are required.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified objects or purposes is ten (10) years, pursuant to subdivisions 33-a(a), 24, 3, 28, 11(c) and 13 of paragraph (a) of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the Bonds herein authorized will not exceed ten (10) years.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall be levied on all the taxable real property of said Village a tax sufficient to pay the principal and interest on the Bonds as the same become due and payable.

Section 5. Pursuant to the Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation thereof, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any serial bonds or bond anticipation notes issued pursuant hereto.

Section 6. The Board of Trustees of the Village prior to adopting this resolution has determined that the Projects are "Type II actions" as that term is defined under Part 617 of the regulations of the New York State Department of Environmental Conservation and the Village is not required to undertake any further review of the environmental impact of the Projects.

Section 7. The Village hereby covenants and agrees with the holders from time to time of the tax-exempt Bonds and any bond anticipation notes issued in anticipation of the sale of the tax-exempt Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The validity of the bonds and bond anticipation notes may be contested pursuant to Section 80.00 of the Local Finance Law only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This resolution is subject to permissive referendum.

Section 10. The Village Clerk shall publish and post a notice in accordance with the provisions of Section 81.00 of the Local Finance Law together with a copy of this Resolution in full.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-81

RESOLUTION AUTHORIZING THE ENVIRONMENTAL TESTING, EXCAVATION AND DISPOSAL RELATED TO THE REPLACEMENT OF AN UNDERGROUND FUEL TANK ON PROPERTY OWNED BY THE VILLAGE AND OCCUPIED BY THE DEPARTMENT OF PUBLIC WORKS AND AUTHORIZING THE ISSUANCE OF TAX-EXEMPT SERIAL BONDS

Trustee Klassen offered the following resolution, which was seconded by Trustee Milano and adopted:

BE IT RESOLVED, BY THE VILLAGE BOARD OF THE VILLAGE OF IRVINGTON, WESTCHESTER COUNTY, NEW YORK AS FOLLOWS:

Section 1. The environmental testing, excavation and disposal related to an underground fuel tank on property owned by the Village, and occupied by the Department of Public Works, at a maximum estimated cost of \$40,000, including but not limited to the apparatus and all necessary alterations and ancillary work as may be necessary to effectuate the foregoing (the "Project") is hereby authorized at a maximum estimated cost of \$40,000.

Section 2. The plan for financing such maximum estimated cost is by the issuance of \$40,000 tax-exempt serial bonds or bond anticipation notes of the Village (the "Bonds") hereby authorized to be issued therefor, pursuant to the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, no current funds of the Village are required.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified object or purpose is ten (10) years, pursuant to subdivision 88-b of paragraph (a) of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the Bonds herein authorized will not exceed ten (10) years.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall be levied on all the taxable real property of said Village a tax sufficient to pay the principal and interest on the Bonds as the same become due and payable.

Section 5. Pursuant to the Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation thereof, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any serial bonds or bond anticipation notes issued pursuant hereto.

Section 6. The Board of Trustees of the Village prior to adopting this resolution has determined that the Project is an "unlisted" action as that term is defined under Part 617 of the regulations of the New York State Department of Environmental Conservation and the Village is not required to undertake any further review of the environmental impact of the Project.

Section 7. The Village hereby covenants and agrees with the holders from time to time of the tax-exempt Bonds and any bond anticipation notes issued in anticipation of the sale of the tax-exempt Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The validity of the bonds and bond anticipation notes may be contested pursuant to Section 80.00 of the Local Finance Law only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This resolution is subject to permissive referendum.

Section 10. The Village Clerk shall publish and post a notice in accordance with the provisions of Section 81.00 of the Local Finance Law together with a copy of this Resolution in full.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-82

RESOLUTION AUTHORIZING THE INSTALLATION OF A NEW WATER MAIN AT THE BRIDGE STREET BRIDGE AND AUTHORIZING THE ISSUANCE OF TAX-EXEMPT SERIAL BONDS

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

BE IT RESOLVED, BY THE VILLAGE BOARD OF THE VILLAGE OF IRVINGTON, WESTCHESTER COUNTY, NEW YORK AS FOLLOWS:

Section 1. The installation of a new water main at the Bridge Street Bridge in the Village of Irvington (the "Village"), at a maximum estimated cost of \$60,500, including but not limited to the apparatus and all necessary alterations and ancillary work as may be necessary to effectuate the foregoing (the "Project") is hereby authorized at a maximum estimated cost of \$60,500.

Section 2. The plan for financing the maximum estimated cost is by the issuance of \$60,500 tax-exempt serial bonds or bond anticipation notes of the Village (the "Bonds") hereby authorized to be issued therefor, pursuant to the Local Finance Law. Pursuant to Section 107.00 of the Local Finance Law, no current funds of the Village are required.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specified objects or purposes is forty (40) years, pursuant to subdivision 1 of paragraph (a) of Section

11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the Bonds herein authorized will not exceed twenty (20) years.

Section 4. The full faith and credit of the Village is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall be levied on all the taxable real property of said Village a tax sufficient to pay the principal and interest on the Bonds as the same become due and payable.

Section 5. Pursuant to the Sections 30.00, 50.00 and 56.00 to 60.00 inclusive of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the Bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation thereof, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any serial bonds or bond anticipation notes issued pursuant hereto.

Section 6. The Board of Trustees of the Village prior to adopting this resolution has determined that the Project is a "Type II action" as that term is defined under Part 617 of the regulations of the New York State Department of Environmental Conservation and the Village is not required to undertake any review of the environmental impact of the Project.

Section 7. The Village hereby covenants and agrees with the holders from time to time of the tax-exempt Bonds and any bond anticipation notes issued in anticipation of the sale of the tax-exempt Bonds, that the Village will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 8. The validity of the bonds and bond anticipation notes may be contested pursuant to Section 80.00 of the Local Finance Law only if: (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or of such publication; or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 9. This resolution is subject to permissive referendum.

Section 10. The Village Clerk shall publish and post a notice in accordance with the provisions of Section 81.00 of the Local Finance Law together with a copy of this Resolution in full.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS:	NONE	

RESOLUTION 2004-83

AWARD OF CONTRACT 2004-08 FOR SIDEWALK REPLACEMENT

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

WHEREAS, sealed bids for contract 2004-08 (sidewalk replacement) were received and opened on July 19, 2004, now therefore be it

RESOLVED, to award contract 2004-08 for sidewalk replacement to the low bidder, Transit Construction Corp. in an amount of \$30,122.00, and

FURTHER RESOLVED, to authorize Supt. of Public Works, Greg Nilsson to execute said contract.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

**RESOLUTION 2004-84
AWARD OF CONTRACT 2004-09 FOR ASPHALT PAVING**

Trustee Klassen offered the following resolution, which was seconded by Trustee Milano and adopted:

WHEREAS, sealed bids for contract 2004-09 (asphalt paving) were received and opened on July 19, 2004, now therefore be it

RESOLVED, to award contract 2004-09 for asphalt paving to the low bidder, Peter J. Landi, Inc. for a unit price of \$80/ton, and

FURTHER RESOLVED, to authorize Supt. of Public Works, Greg Nilsson to execute said contract.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

**RESOLUTION 2004-85
AWARD OF CONTRACT 2004-10 FOR CONCRETE CURB INSTALLATION**

Trustee Siegel offered the following resolution, which was seconded by Trustee Milano and adopted:

WHEREAS, sealed bids for contract 2004-10 (concrete curb installation) were received and opened on July 19, 2004, now therefore be it

RESOLVED, to award contract 2004-10 for concrete curb installation to the low bidder, Transit Construction Corp. for a unit price of \$15.23/liner foot, and

FURTHER RESOLVED, to authorize Supt. of Public Works, Greg Nilsson to execute said contract.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

**RESOLUTION 2004-86
APPOINTMENT OF AN ALTERNATE MEMBER TO THE ARCHITECTURAL REVIEW BOARD**

Trustee Livingston offered the following resolution, which was seconded by Trustee Milano and adopted:

RESOLVED, to appoint Maurice Wasserman as an alternate member of the Architectural Review Board for a term to expire April 2006.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Milano, Klassen, Livingston, Siegel)
NAYS: NONE

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Trustee Klassen reported on the Cedar Ridge water main break and the installation of the seating in the orchestra of the Town Hall Theater.

Trustee Siegel reported Department of Public Works activities including assisting the Clerk-Treasurer with various tasks in Village Hall, curb repairs, and the lack of compost currently available.

Trustee Livingston reported on recent activities for the senior citizens including a summer picnic, the hug-a-bear program, and upcoming trips. He also reported on the Fire Department recent joint meeting with the Irvington Volunteer Ambulance Corps, vehicle repairs, and a 2^d place finish at a recent parade. Trustee Livingston summarized the recent Architectural Review Board meeting.

Mayor Flood thanked the Police Department, especially Officer Carelli, for the hug-a-bear program previously discussed. Chief Louis Grieco announced that the P.B.A. would be attending a swim event with the day camp next week.

Trustee Milano thanked the Recreation Department for their efforts with the July 4th celebration. She also outlined upcoming movies and the start of the open air program.

Village Administrator Donald Marra announced that the Village had received a donation from the Irvington Town Hall Theater Foundation, Inc. in the amount of \$25,000 towards the purchase and installation of new seating in the Town Hall Theater. Trustee Klassen made a motion to accept the donation. The motion was seconded by Trustee Siegel and unanimously approved.

Village Attorney Kevin Plunkett commented on Irvington's successful July 4th celebration.

Trustee Livingston made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Siegel and unanimously approved.

Upon reconvening after executive session, there being no further business, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments